

AGENDA

**Port Freeport
Pilot Commission
Special Meeting
Monday, July 1, 2024, 1:00 pm - 4:00 pm
In Person & Videoconference - Administration Building - 1100 Cherry Street - Freeport**

This meeting agenda with the agenda packet is posted online at www.portfreeport.com

The meeting will be conducted pursuant to Section 551.127 of the Texas Government Code titled "Videoconference Call." A quorum of the Pilot Commission, including the presiding officer, will be present at the Commissioner Meeting Room located at 1100 Cherry Street, Freeport, Texas. The public will be permitted to attend the meeting in person or by videoconference. The videoconference is available online as follows:

Join Zoom Meeting

<https://us02web.zoom.us/j/83468097047?pwd=regT5u9ZermaJeVZ9rePYF6lu3FQ4>

Meeting ID: 834 6809 7047

Passcode: 349766

Dial by your location

• 1 346 248 7799 US (Houston)

Meeting ID: 834 6809 7047

Find your local number: <https://us02web.zoom.us/u/kde1Hbl16>

1. CONVENE OPEN SESSION in accordance with Texas Government Code Section 551.001, et. seq., to review and consider the following:
2. Roll Call.
3. Public Comment. (Public comment on any matter on this Agenda will be limited to 5 minutes per participant and can be completed in person or by videoconference.)
4. Public Testimony. (Public testimony on any item on this Agenda will be limited to 5 minutes per agenda item to be addressed per participant and can be completed in person or by videoconference. The participant shall identify in advance the specific agenda item or items to be addressed.)
5. EXECUTIVE SESSION in accordance with Subchapter D of the Open Meetings Act, Texas Government Code Section 551.001, et. seq. to review and consider the following:
 - A. Under authority of Section 551.071 (Consultation with Attorney) for discussion regarding:
 1. Consultation with attorney regarding legal matters related to Brazos Pilots Association request for adjustment to pilot tariff dated May 31, 2024.
6. RECONVENE OPEN SESSION to review and consider the following:
7. Counsel to review the responsibilities of the Pilot Commission in the rate setting process according to Chapter 68 of the Transportation Code.
8. Discuss and consider the approval, denial or modification of the application submitted by the Brazos Pilots Association for rate adjustment to pilot tariff dated May 31, 2024 pursuant to Chapter 68 of the Texas Transportation Code. The application for pilotage rate increase relates to the following items as more particularly described in the application attached to this agenda:
 - A. Expand tariff units table and charges to 2450 units to include larger vessels anticipated to be utilizing the Freeport Harbor Channel;
 - B. Increase all Units Charges, Draft Charges, Detention Charges, Holding Charges, Cancellation Charges, and Minimum Charge by 15% for 2025 and by 12.5% for 2026 to cover increased inflation costs of employees and growing the pilot ranks;

- C. Simplify Draft Charge to a single fixed rate for vessels with drafts of 42 feet or greater to be in effect at the completion of the Freeport Harbor Channel Deepening and Widening Project;
 - D. Institute a Fuel & Lube Surcharge per movement that will 1) be calculated at the beginning of each month and be based on the previous months total cost of fuel & lube and then divided by the prior months total movements and 2) be held in a separate checking account established to hold and track Fuel & Lube Surcharges;
 - E. Modify "Pilot Transport Surcharge" to be "Per Pilot" instead of "Per Movement," to offset rising inflation costs & interest rates for new Pilot Boat, approve the request to accumulate funds for a new pilot boat, and approve an increase of the principal purchase value of the new pilot boat to \$8 million;
 - F. Increase "Training & Education Charge" by \$12.50 per movement to \$22.50 + (Units x .03) and in year two increase the charge by 12.5%;
 - G. Increase Communications/Dispatch Charge by \$10.00 per movement;
 - H. Amend Arrival Cancellation Charge for arrivals at the time of order to include the following tariff line item fees: Pilot Transport Charge, Communication Charge, Fuel & Lube Surcharge;
 - I. Modify Holding Charge to include "Per hour or a fraction thereof after 45 minutes; and
 - J. Add Communication Charge, Education Charge, Pilot Transport, and Fuel & Lube Surcharge to Shifts.
9. Adjourn.

The Pilot Commission does not anticipate going into a closed session under Chapter 501 of the Texas Government Code at this meeting for any other items on the agenda, however, if necessary, the Pilot Commission may go into a closed session as permitted by law regarding any item on the agenda.

With this posted notice, Port Commissioners have been provided certain background information on the above listed agenda items. Copies of this information can be obtained by the public at the Port Administrative offices at 1100 Sherman Street, Freeport, TX.



Phyllis Gaathoff, Executive Director/CEO
PORT FREEPORT

Participation is welcomed without regard to race, ethnicity, sex, age, national origin, disability or family status. In accordance with Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act, persons with disabilities needing reasonable accommodations to participate in this proceeding, or those requiring language assistance (at no charge) should contact the Executive Assistant no later than forty-eight (48) hours prior to the meeting, at (979) 233-2667, ext. 4326, email: bevers@portfreeport.com.

La participación es bienvenida sin distinción de raza, color, religión, sexo, edad, origen nacional, discapacidad o situación familiar. De acuerdo con el Título II de la Ley de Estadounidenses con discapacidades y la Sección 504 de la Ley de Rehabilitación, las personas con discapacidades que necesiten adaptaciones razonables para participar en este procedimiento, o aquellas que requieran asistencia lingüística (sin cargo), deben comunicarse con el Asistente Ejecutivo a más tardar cuarenta y ocho (48) horas antes de la reunión, al (979) 233-2667, ext. 4326, correo electrónico: bevers@portfreeport.com.